

**EXHIBIT A: FILED GRIEVANCES**

Ref# BECI1021002687	Housing:A10064B	Date Created:10/17/2021
ID#: A734401	Name:SHINEJOHNSON,JOSEPH	
Form:Kite	Subject:Mail	Description:Mail
Urgent:No	Time left:n/a	Status:Closed

Original Form

10/17/2021 9:56:40 PM : ( a734401 ) wrote

I request my legal mail not be opened outside of my presence.

Being a state inmate in the 6th circuit federal, I can request for the institution not to open my legal mail outside of my presence. This kite is sufficient enough to give notice to the agent and principal( employee and employer) to make each liable for suit if my request is ignored.

Opening mail outside of the inmates presence violates the 1st Amendment and is clearly established federal law.

Supremacy law takes effect over ODRC policy. Therefore, once my legal mail is open again outside of my presence I will have established enough to show a pattern and prove intention, prejudice, and deliberate indifference.

Communications / Case Actions

10/18/2021 7:36:15 AM : ( Derek Winland ) wrote

Duplicate kite. Kite was answered in previous kite.

Exhibit A

Ref# BECI1021002792	Housing:A10064B	Date Created:10/18/2021
ID#: A734401	Name:SHINEJOHNSON,JOSEPH	
Form:Kite	Subject:Mail	Description:Mail
Urgent:No	Time left:n/a	Status:Closed

Original Form

10/18/2021 2:11:29 PM : ( a734401 ) wrote

I recieved a copy of my own original legal documents from the Supreme cour of Ohio 10-18-21. I am missing pages of my legal documents...

Communications / Case Actions

10/26/2021 9:10:13 AM : ( Denise Henry ) wrote

It has been re-printed and you will receive a copy today when 2nd shift passes out the mail.

Exhibit A

Ref# BECI1221002045	Housing:A10064B	Date Created:12/14/2021
ID#: A734401	Name:SHINEJOHNSON,JOSEPH	
Form:Kite	Subject:Mail	Description:Mail
Urgent:No	Time left:n/a	Status:Closed

Original Form

12/14/2021 10:03:31 AM : ( a734401 ) wrote

My legal mail is being copied and i did not receiev all of my legal from the U.S. District court 12-13-21. And The staff contiunes you violate federal law!

Exhibit - A

Ref# BECI1021002395	Housing:A10064B	Date Created:10/15/2021
ID#: A734401	Name:SHINEJOHNSON,JOSEPH	
Form:Appeal	Subject:Mail	Description:Handling of legal mail
Urgent:No	Time left:n/a	Status:Closed

Original Form

10/15/2021 2:34:59 PM : ( a734401 ) wrote

This is an informal complaint. on 10-15-21 The Institution open my legal mail from the court outside of my presence. The federal law has not changed. The federal courts has already decided that the Prisons are not allowed to open legal mail in the guise of searching for contraband. ODRC policy violates federal law. The institution has altered my legal mail.

Communications / Case Actions

10/15/2021 2:34:59 PM : ( a734401 ) wrote

Form has been submitted

10/20/2021 9:16:40 AM : ( Denise Henry ) wrote

Please review the updated mail policy 75-MAL-01

10/20/2021 9:16:46 AM : ( Denise Henry ) wrote

Closed incarcerated individual form

10/20/2021 10:43:15 AM : ( a734401 ) wrote

Escalated to Grievance

10/20/2021 10:43:15 AM : ( a734401 ) wrote

The legal Mail policy violates federal law. Federal law overrides any ODRC or Belmont policy. No federal rule has changed. My legal mail may not be opened outside my presence. This is sufficient notice to make all parties and supervisors liable. The prison may not open my mail outside my presence in the guise of looking for contraband and the AR has already defeneed what legal mail is.

10/20/2021 11:36:24 AM : ( Patrick Haley ) wrote

The Office of the Inspector of the Institutional Services is in receipt of Notification of Grievance BECI-10-21-002395, submitted by inmate Shinejohnson A734401.

The office of Inspector is in receipt of your complaint in which you state your mail from the Court was opened without you being present.

To investigate your complaint, I reviewed your ICR, NOG, AR 5120-9-18, AR 5120-9-17 and DRC 75-MAL-01 Inmate Mail. I emailed Columbus and read the JPAY blast.

JPay blast communication on the legal mail changes, that was sent to the population on 10/01/2021.

Dear Incarcerated Person:

This message is to inform you that ODRC is changing how we process Legal Mail, and we need your assistance.

We have informed the legal community about these changes. The new process requires each piece of intended Legal Mail to have a control number on it. A control number is generated from ODRC's system after the sender registers on our ODRC website. (See link below).

You can help avoid delays in receiving Legal Mail by telling your attorney, or other Legal Mail senders, about this new process. Here is some important information you can share:

- Information about the new Legal Mail process can be found at: [www.drc.ohio.gov/inmate-mail](http://www.drc.ohio.gov/inmate-mail).
- Register to send Legal Mail by clicking on the "Attorney Registration Site" link on the inmate mail page of our website.
- View the Legal Mail policy (75-MAL-01) by clicking on the "Updated Policy" link on the inmate mail page of our website.

So far, ODRC has approved almost 700 applications to send Legal Mail into the facilities. This is a great start, but we are asking for your help with informing your Legal Mail senders about the new process. ODRC will soon begin enforcing the requirement that all Legal Mail contain a control number. Mail that does not have a control number, even if it is stamped or marked "Legal Mail," will soon be treated as ordinary mail. This means that it will be opened, copied, and delivered to you as ordinary mail.

Change can sometimes be difficult, but we believe the new Legal Mail process will make our facilities safer for all. We are working closely with facility staff to make this change. Any questions about this process may directed to your facility staff.

Exhibit A

Ref# BECI1221002197	Housing:A10064B	Date Created:12/14/2021
ID#: A734401	Name:SHINEJOHNSON,JOSEPH	
Form:Appeal	Subject:Mail	Description:Handling of legal mail
Urgent:No	Time left:n/a	Status:Closed

Original Form

12/14/2021 11:01:15 PM : ( a734401 ) wrote

This Is an Infromal complaint:

My legal mail is continuously opened outside of my presence and copied in violation 75-Mal-01 and AR-5120-9-17. The control numbers only apply to legal mail from attorney's not court. There was only a change to 75-MA-1 section IV A-14 therefore this is a violation of the policy and my 1st amendment rights and clearly established federal law. A kite, Complaint, Grieveance is enough to Give notice to all supervisors to make them liable

Communications / Case Actions

12/14/2021 11:01:15 PM : ( a734401 ) wrote

Form has been submitted

12/21/2021 8:13:25 AM : ( Patrick Haley ) wrote

Additional time is needed as permitted in Administrative Rule 5120-9-31

12/21/2021 10:35:31 AM : ( Denise Henry ) wrote

All mail without a control number will be handled as regular mail per policy.

12/21/2021 10:35:35 AM : ( Denise Henry ) wrote

Closed incarcerated individual form

12/22/2021 7:27:22 AM : ( a734401 ) wrote

Escalated to Grievance

12/22/2021 7:27:22 AM : ( a734401 ) wrote

The Mail Room purposely mis-interprets the policy 75-MAL-01 with deliberate indifference to violate my constitutional first amendment rights. Henry state mail without a control number can be construed as to what qualifies as legal mail. This CONROL NUMBER APPLIES ONLY TO ATTORNEY's NOT Court.

THE policy defines what mail is classified. I have The variance request formed Signed by ERNIE Moore Nothing has changed in the Policy of handling legal Mail. therefore I have never signed for any of my legal mail copied, therefore i have not received my Legal mail. My legal mail has been altered. The BECI Mail room has purposely ignored the Complaint. ann Since my complaints are being answered by Supervisors and and people with authority to do to correct the changes and they do not. They are personally liable as if they committed the act personally. The mail room is obstructing my appeals because it constantly opens my private mail and is doing so, to thwart my open Civil suit and gain an unfair advntage, and VIOLATING FEDEAL LAW

12/22/2021 8:11:20 AM : ( Patrick Haley ) wrote

The Office of the Inspector of the Institutional Services is in receipt of Notification of Grievance BECI-12-21-002197, submitted by inmate Shinejohnson A734401.

The office of Inspector is in receipt of your complaint in which you state your mail from the Court was opened without you being present and was copied.

To investigate your complaint, I reviewed your ICR, NOG, AR 5120-9-18, AR 5120-9-17 and DRC 75-MAL-01 Inmate Mail. I emailed Columbus and read the JPAY blast. I also interviewed Lt Henry.

JPAY blast communication on the legal mail changes, that was sent to the population on 10/01/2021.

Dear Incarcerated Person:

This message is to inform you that ODRC is changing how we process Legal Mail, and we need your assistance.

We have informed the legal community about these changes. The new process requires each piece of intended Legal Mail to have a control number on it. A control number is generated from ODRC's system after the sender registers on our ODRC website. (See link below).

You can help avoid delays in receiving Legal Mail by telling your attorney, or other Legal Mail senders, about this new process. Here is some important information you can share:

- Information about the new Legal Mail process can be found at: [www.drc.ohio.gov/inmate-mail](http://www.drc.ohio.gov/inmate-mail).
- Register to send Legal Mail by clicking on the "Attorney Registration Site" link on the inmate mail page of our website.
- View the Legal Mail policy (75-MAL-01) by clicking on the "Updated Policy" link on the inmate mail page of our website.

Exhibit A

Ref# BECI1121000588	Housing:A10064B	Date Created:11/04/2021
ID#: A734401	Name:SHINEJOHNSON,JOSEPH	
Form:Grievance Against the Inspector	Subject:Inspector of Institutional Services	Description:Violation of Administrative Rule
Urgent:No	Time left:n/a	Status:Closed

Original Form

11/4/2021 7:57:45 AM : ( a734401 ) wrote

Inspector Haley has been violating AR 5120-9-17. The Inspector seems to believe the Attorney portal allows for the prison to treat legal mail from the court as regular mail. The Attorney Portal is for Attorney's Not Courts. 5120-9-17 and 5120-9-18 defines what legal mail is. There has been no policy change to 75-Mal-01, and inspector haley personally said he knows it violates policy but it wil take up to two years before we can have something done. What the inspector haley fails to realize these people have open cases and can seek immediate remedy and has expressed deliberate indifference to my First amendment right. There has been no change in law of the supreme court of the united states therefore the Inspector also violates federal law. My legal Mail from the courts have been open outside my presence 4 times, My mail has been lost, altered and/or destroyed and copied.

There is nothing in the policy that requies a court to register or provide a number nor would ODRC have the authority to enforce any rules on the Court When The Supremacy clause overrdes the ODRC policy.

Communications / Case Actions

11/4/2021 7:57:45 AM : ( a734401 ) wrote

Form has been submitted

11/4/2021 8:25:02 AM : ( Chris Lambert ) wrote

Mr. Shine, upon review of your complaint and administrative rule 5120-9-31, I find the requirement to show the inspector of institutional services was personally and knowingly involved in a violation of law, rule or policy, or personally and knowingly approved or condoned such a violation has not been met.

In accordance with administrative rule 5120-9-31, if you are not satisfied with a grievance response because you disagree with the Inspector's response and interpretation of DRC policy, you may escalate your grievance to an appeal with my office for further review and response.

Accordingly, pursuant to administrative rule 5120-9-31, this grievance is DENIED. This office will take no further action.

11/4/2021 8:25:08 AM : ( Chris Lambert ) wrote

Closed incarcerated individual form - Disposition: Denied

*Exhibit A*

Ref# BECI1121000589	Housing:A10064B	Date Created:11/04/2021
ID#: A734401	Name:SHINEJOHNSON,JOSEPH	
Form:Grievance Against the Inspector	Subject:Inspector of Institutional Services	Description:Violation of Policy
Urgent:No	Time left:n/a	Status:Closed

Original Form

11/4/2021 8:02:25 AM : ( a734401 ) wrote

Inspector Haley is in violation of policy 75-MAL-01 The Inspector is allowing the staff to open legal mail outside of my presence on four instances. There has been no change to the policy other than requiring ATTORNEY'S to register in the portal. Nothing about the Update allows for the legal mail to open outside of the inmates presence or copied altered and or destroyed or lost. The JPAY blast is not controlling. Federal defines lega mail from the courts as being protected.

Communications / Case Actions

11/4/2021 8:02:25 AM : ( a734401 ) wrote

Form has been submitted

11/5/2021 8:02:15 AM : ( Chris Lambert ) wrote

Mr. Shine, upon review of your complaint about the handling of Lega Mail and administrative rule 5120-9-31, I find you have incorrectly filed your complaint as a Direct Grievance. A Direct Grievance can only be filed against the warden or inspector and must show evidence that they violated policy, rule or statute. This complaint should instead be filed as an informal complaint with the area supervisor – in this case the Major. In accordance with administrative rule 5120-9-31, if you are not satisfied with an ICR response or a response is not forthcoming, you may escalate the ICR to a grievance for further review and response. Likewise, if you are not satisfied with a grievance response or a response is not forthcoming, you may escalate your grievance to an appeal with my office for further review and response. Accordingly, this grievance is DENIED. This office will take no further action.

11/5/2021 8:02:22 AM : ( Chris Lambert ) wrote

Closed incarcerated individual form - Disposition: Denied

Exhibit A



Ref# BECI0522001766	Housing:A10064B	Date Created:05/12/2022
ID#: A734401	Name:SHINEJOHNSON,JOSEPH	
Form:Kite	Subject:Inspector	Description:Inspector
Urgent:No	Time left:7 Day(s)	Status:Pending

### Original Form

Original file  
5/12/2022 7:31:33 AM

I would like a copy of my filings

BECI 1221002045

BECI 1221002197

BECI 1121000589

BECI 1121000588

BECI 1021002687

BECI 1021002792

BECI 1021002395

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## Communications /

5/12/2022 7:31:33

### This communication

www.english-test.net

## Communications / Case Actions

5/12/2022 7:31:33 AM : ( a734401 ) wrote

This communication was created by Amelia, ID# -1 on behalf of the incarcerated individual.

## Admin Log

5/12/2022 7:32:44 AM : ( pat haley ) wrote

Form was viewed by pat haley and the status was changed to Pending.

## Manual Fill-In

# Exhibit A

Ref# BECI1121002512	Housing:D70030B	Date Created:11/15/2021
ID#: A694724	Name:WHITMAN,RICHARD	
Form:Appeal	Subject:Mail	Description:Handling of legal mail
Urgent:No	Time left:n/a	Status:Closed

Original Form

11/15/2021 7:47:06 PM : ( a694724 ) wrote

I have asked you not to open and copy my legal mail and I have received another legal mail package that you have opened outside of my presence in violation of my first amendment rights. I have the right to confidentiality in all of my legal matters. I have not at any time chosen to opt into your new legal mail policy of opening my legal mail outside of my presence and I do not opt into your policy of copying my legal mail for any reason. Please pass me to pick up and sign for my legal mail from now on and please do not delay my legal mail as a result of this request.

Communications / Case Actions

11/15/2021 7:47:06 PM : ( a694724 ) wrote

Form has been submitted

11/16/2021 12:06:22 PM : ( Denise Henry ) wrote

Refer to the updated mail policy 75-MAL-01. Also, a JPAY blast went out to ALL inmates on 10/1/21 explaining the changes.

11/16/2021 12:06:28 PM : ( Denise Henry ) wrote

Closed incarcerated individual form

11/24/2021 7:15:28 AM : ( a694724 ) wrote

Escalated to Grievance

11/24/2021 7:15:28 AM : ( a694724 ) wrote

Ohio is an opt in state and this new mail policy does not over ride federal law. Please stop opening my legal mail outside of my presence and please stop copying it.

11/24/2021 7:35:35 AM : ( Patrick Haley ) wrote

The Office of the Inspector of the Institutional Services is in receipt of Notification of Grievance BECI-11-21-002512, submitted by inmate A694724.

The office of Inspector is in receipt of your complaint in which you state your mail from the Court was opened without you being present and was copied.

To investigate your complaint, I reviewed your ICR, NOG, AR 5120-9-18, AR 5120-9-17 and DRC 75-MAL-01 Inmate Mail. I emailed Columbus and read the JPAY blast. I also interviewed Lt Henry.

JPay blast communication on the legal mail changes, that was sent to the population on 10/01/2021.

Dear Incarcerated Person:

This message is to inform you that ODRC is changing how we process Legal Mail, and we need your assistance.

We have informed the legal community about these changes. The new process requires each piece of intended Legal Mail to have a control number on it. A control number is generated from ODRC's system after the sender registers on our ODRC website. (See link below).

You can help avoid delays in receiving Legal Mail by telling your attorney, or other Legal Mail senders, about this new process. Here is some important information you can share:

- Information about the new Legal Mail process can be found at: [www.drc.ohio.gov/inmate-mail](http://www.drc.ohio.gov/inmate-mail).
- Register to send Legal Mail by clicking on the "Attorney Registration Site" link on the inmate mail page of our website.
- View the Legal Mail policy (75-MAL-01) by clicking on the "Updated Policy" link on the inmate mail page of our website.

So far, ODRC has approved almost 700 applications to send Legal Mail into the facilities. This is a great start, but we are asking for your help with informing your Legal Mail senders about the new process. ODRC will soon begin enforcing the requirement that all Legal Mail contain a control number. Mail that does not have a control number, even if it is stamped or marked "Legal Mail," will soon be treated as ordinary mail. This means that it will be opened, copied, and delivered to you as ordinary mail.

Change can sometimes be difficult, but we believe the new Legal Mail process will make our facilities safer for all. We are working closely with facility staff to make this change. Any questions about this process may directed to your facility staff.

Per Columbus the Clerk of Courts is aware of and agrees with the new legal mail process. They stated that most of what they would send would not need to be confidential or processed as legal mail so if it comes in without a control number handle it as regular mail. If they need something to be treated as confidential or if they need a record that the inmate received it (signed the legal mail log) they'll get a control number. If a piece of mail comes in bearing the return address of state or federal court of law, or their clerk's office and is marked "confidential" the mailroom must generate a control number for it and it must be processed as legal mail.

**Exhibit A**

Ref# BECI1121002512

Housing:D70030B

Date Created:11/15/2021

The decision to adjust incoming legal mail operational functions was made by ODRC in accordance with Ohio Revised Code 5120.01. The issue (s) you have raised in your use of the Inmate Grievance Procedure is one associated with a final decision that has been rendered by Operations Support Center staff as outlined in Administrative Rule 5120-9-31. Sir, the decisions for the change in policy and procedure were approved and supported by Operational Support Center for the safety and security of the institutions. This writer finds no evidence of a policy violation. Your grievance is denied.

11/24/2021 7:35:49 AM : ( Patrick Haley ) wrote  
Closed incarcerated individual form - Disposition: Denied

12/4/2021 1:31:19 PM : ( a694724 ) wrote  
Escalated to Appeal

12/4/2021 1:31:19 PM : ( a694724 ) wrote  
This still does not change or over ride Federal law.

12/17/2021 11:11:36 AM : ( Marc Bratton ) wrote  
The office of the Chief Inspector is in receipt of your Appeal to the Chief Inspector. A thorough review of your appeal has been completed that included application of the following factors:

- Procedural requirements
- Proper investigation of your grievance
- Applicable policies, procedures, administrative rules, directives and ODRC operating manuals
- Documentation and related evidence
- Additional or refuting Information presented in your appeal.

Based on a review of all information provided, the decision rendered by the Inspector is hereby: AFFIRMED  
Comments: The decision to adjust incoming legal mail operational functions was made by ODRC. The issue you have raised in your use of the Inmate Grievance Procedure is one associated with a final decision that has been rendered by central office staff (Operation Support Center) as outlined in Administrative Rule 5120-9-31.  
This office will take no further action on this matter at this time.

12/17/2021 11:11:44 AM : ( Marc Bratton ) wrote  
Closed incarcerated individual form - Disposition: Affirmed

Ref# BECI0222001689	Housing:D70030B	Date Created:02/12/2022
ID#: A694724	Name:WHITMAN,RICHARD	
Form:Appeal	Subject:Mail	Description:Handling of legal mail
Urgent:No	Time left:n/a	Status:Closed

Original Form

2/12/2022 9:28:26 AM : ( a694724 ) wrote

I have repeatedly asked mailroom staff not to open my legal mail outside of my presence and not to copy my legal mail. This is continuing to happen despite the fact that OAC 75-MAL-03 (A) 3-8 under procedures for handling legal mail clearly states that mailroom staff are not allowed to open our legal mail outside our presence and are not allowed to copy legal mail for any reason.

I received legal mail clearly marked from the Clerk of Court for the United States Appeal Court on Feb. 10, this legal mail was opened and copied on Feb. 10 2022 according to the stamp placed on it by the mailroom.

These actions are in violation of my constitutional rights to privacy in all my ongoing legal matters as well as in violation of 75-MAL-03 effective date Feb. 1, 2022.

Please stop opening my legal mail and please stop copying it. Thank you for your time in this matter.

Communications / Case Actions

2/12/2022 9:28:26 AM : ( a694724 ) wrote

Form has been submitted

2/15/2022 8:45:22 AM : ( Denise Henry ) wrote

Refer to the updated mail policy 75-MAL-01. Also, a JPay blast went out to ALL inmates on 10/1/21 explaining the changes.

2/15/2022 8:45:27 AM : ( Denise Henry ) wrote

Closed incarcerated individual form

2/15/2022 3:25:04 PM : ( a694724 ) wrote

Escalated to Grievance

2/15/2022 3:25:04 PM : ( a694724 ) wrote

The mailroom continues to open and copy my legal mail packages outside of my presence, without my signing for them and with no legitimate security concerns with my legal mail despite the changes in 75-LEG-03 please correct this problem

2/16/2022 7:58:54 AM : ( Patrick Haley ) wrote

Your concern has been previously addressed and therefore will not be responded to in accordance with Administrative Rule 5120-9-31 (E) – see case BECI1121002512

Please be advised that improper use of the grievance procedure may result in restricted access in accordance with Administrative Rule 5120-9-31 (E)

2/16/2022 7:59:32 AM : ( Patrick Haley ) wrote

Closed incarcerated individual form - Disposition: Denied

2/17/2022 5:51:35 PM : ( a694724 ) wrote

Escalated to Appeal

2/17/2022 5:51:35 PM : ( a694724 ) wrote

This is not an improper use of the greivance system, this is related to the most recent violation of the Ohio Administrative Code 75-MAL-03 not the previous grievance issues related to 75-MAL-01,. 75-MAL-03 became effective on February 1 2022 and you are refering back to the Oct. change in policy, you are avoiding the violation by doing this.

2/23/2022 7:05:22 AM : ( Marc Bratton ) wrote

The office of the Chief Inspector is in receipt of your Appeal to the Chief Inspector. A review of your appeal has been completed.

Based on this review, the decision rendered by the Inspector is hereby: AFFIRMED

Comments: Please be advised that a portion of your appeal is directly related to previous concerns that were addressed in their entirety in Grievance Appeal BECI1121002512 on 12/17/2021, therefore will not be reviewed again per AR 5120-9-31.

No further action will be taken regarding this appeal at this time.

2/23/2022 7:05:32 AM : ( Marc Bratton ) wrote

Closed incarcerated individual form - Disposition: Affirmed

Exhibit A

Ref# BECI0921004800	Housing:D70030B	Date Created:09/30/2021
ID#: A694724	Name:WHITMAN,RICHARD	
Form:Appeal	Subject:Mail	Description:Delay/failure in delivery
Urgent:No	Time left:n/a	Status:Closed

Original Form

9/30/2021 8:37:47 AM : ( a694724 ) wrote

I received a pass to pick up legal mail this past Tue. and have not received the legal mail as of yet. I am in 7 house and am in forced quarantine for an unknown time. I have been told we will not receive our legal mail until this Friday, this is depriving me of a significant amount of time to respond to my ongoing legal proceedings at a time when we are already being deprived of access to the law library and are forced to produce our documents by hand making the delay an even more onerous deprival. I will need a signed statement from your mailroom stating why this is happening so I can file it with the courts to prove why my legal filings might be late and extenuations of time to file these responses. .

Communications / Case Actions

9/30/2021 8:37:47 AM : ( a694724 ) wrote

Form has been submitted

10/4/2021 10:27:34 AM : ( Denise Henry ) wrote

You received it on Friday 10/1/21.

10/4/2021 10:27:38 AM : ( Denise Henry ) wrote

Closed incarcerated individual form

10/4/2021 2:12:18 PM : ( a694724 ) wrote

Escalated to Grievance

10/4/2021 2:12:18 PM : ( a694724 ) wrote

During this same time I had a piece of legal mail copied and delivered to me as regular mail. It was clearly marked as coming from the Attorney Generals Office. I got this copied mail faster than I had gotten the mail that I had to wait to receive. I know you aren't allowed to open my legal mail without me being present and I know for sure you are not allowed to copy it.

10/5/2021 1:54:37 PM : ( Patrick Haley ) wrote

The Office of the Inspector of the Institutional Services is in receipt of Notification of Grievance BECI-09-21-004800, submitted by inmate Whitman A694724.

The office of Inspector is in receipt of your complaint in which you state your mail from Attorney General's Office was opened without you being present and you know for sure they are not allowed to copy it.

To investigate your complaint, I reviewed your ICR, NOG, AR 5120-9-18, AR 5120-9-17 and DRC 75-MAL-01 Inmate Mail. I emailed Columbus and read the JPAY blast.

JPAY blast communication on the legal mail changes, that was sent to the population on 10/01/2021.

Dear Incarcerated Person:

This message is to inform you that ODRC is changing how we process Legal Mail, and we need your assistance.

We have informed the legal community about these changes. The new process requires each piece of intended Legal Mail to have a control number on it. A control number is generated from ODRC's system after the sender registers on our ODRC website. (See link below).

You can help avoid delays in receiving Legal Mail by telling your attorney, or other Legal Mail senders, about this new process. Here is some important information you can share:

- Information about the new Legal Mail process can be found at: [www.drc.ohio.gov/inmate-mail](http://www.drc.ohio.gov/inmate-mail).
- Register to send Legal Mail by clicking on the "Attorney Registration Site" link on the inmate mail page of our website.
- View the Legal Mail policy (75-MAL-01) by clicking on the "Updated Policy" link on the inmate mail page of our website.

So far, ODRC has approved almost 700 applications to send Legal Mail into the facilities. This is a great start, but we are asking for your help with informing your Legal Mail senders about the new process. ODRC will soon begin enforcing the requirement that all Legal Mail contain a control number. Mail that does not have a control number, even if it is stamped or marked "Legal Mail," will soon be treated as ordinary mail. This means that it will be opened, copied, and delivered to you as ordinary mail.

Change can sometimes be difficult, but we believe the new Legal Mail process will make our facilities safer for all. We are working closely with facility staff to make this change. Any questions about this process may be directed to your facility staff.

**Exhibit A**

Ref# BECI0921004800

Housing:D70030B

Date Created:09/30/2021

Per Columbus the AGs office is aware of and agrees with the new legal mail process. They stated that most of what they would send would not need to be confidential or processed as legal mail so if it comes in without a control number handle it as regular mail. If they need something to be treated as confidential or if they need a record that the inmate received it (signed the legal mail log) they'll get a control number.

There is no evidence of a violation of policy, rule, or law by a BeCI staff member.

10/5/2021 1:54:46 PM : ( *Patrick Haley* ) wrote  
Closed incarcerated individual form - Disposition: Denied

10/9/2021 8:41:07 AM : ( *a694724* ) wrote  
Escalated to Appeal

10/9/2021 8:41:07 AM : ( *a694724* ) wrote  
This new process violates federal law you aren't allowed to open our legal mail without our being present. Your legal team should know that.

10/28/2021 7:13:04 AM : ( *Marc Bratton* ) wrote  
The office of the Chief Inspector is in receipt of your Appeal to the Chief Inspector. A thorough review of your appeal has been completed that included application of the following factors:

- Procedural requirements
- Proper investigation of your grievance
- Applicable policies, procedures, administrative rules, directives and ODRC operating manuals
- Documentation and related evidence
- Additional or refuting Information presented in your appeal.

Based on a review of all information provided, the decision rendered by the Inspector is hereby: AFFIRMED  
Comments: The decision to adjust incoming legal mail operational functions was made by ODRC in accordance with Ohio Revised Code 5120.01. The issue (s) you have raised in your use of the Inmate Grievance Procedure is one associated with a final decision that has been rendered by Operations Support Center staff as outlined in Administrative Rule 5120-9-31.

No further action will be taken regarding this appeal at this time.

11/1/2021 8:30:47 AM : ( *Marc Bratton* ) wrote  
Closed incarcerated individual form - Disposition: Affirmed